

REMARKS

By the present amendment, the applicant has cancelled Claims 1 and 2 and combined their elements into new Claim 8. The dependencies of Claims 3, 4 and 5 have been amended to new Claim 8.

In the above identified Office Action, the Examiner rejected original Claims 1 to 7 as being anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 5,531,338, to Sklar, granted July 2, 1996. The Examiner maintains that the Sklar reference discloses a bottle body having a plurality of scale lines parallel to a horizontal line and along a vertical direction; a bottle cap, a nipple, and the top of the nipple including an opening. The Examiner also states that Sklar discloses that the scale lines can include forms such as a circle with a dot in the center, Xs, cross hairs, crosses or other means for indicating a point on the side of the bottle. The Examiner also states that Sklar teaches that each scale line have corresponding indicia such as ounces or milliliters. Finally, the Examiner maintains that this teaching of the Sklar reference "inherently includes scale lines with different angles between 5 and 45 degrees."

By the present amendment, the applicant has cancelled original Claims 1 and 2 and added new Claim 8 which essentially combines the elements of the cancelled claims in rewritten form. According to the present invention there is provided a bottle body having the normal vertically arranged scale lines with numerical graduations

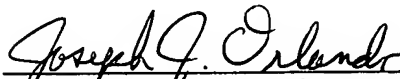
increasing (step-up) from bottom (downside) to top (upside). Arranged on another face of the bottle body is another set of vertically arranged scale lines with numerical graduations increasing (step-up) from top (upside) to bottom (downside). Thus, it is possible to read the remaining volume of liquid milk in the bottle body while the bottle body is held upside down in the feeding position. Also, in combination with this second set of vertically arranged scale lines for each such scale line there is provided a plurality of angular scale lines so that the remaining volume of the bottle body can be determined easily when the bottle body is disposed angularly in the feeding position. Each such angular scale line is parallel to similarly disposed angular scale lines arranged along the vertical set of scale lines.

The applicant submits that this combination of indicating device for a feeding bottle is nowhere disclosed or hinted at, nor can it be discerned from the Sklar reference. The Sklar reference does not contemplate, nor does it disclose a plurality of angularly arranged scale lines at each scale graduation or division wherein each angular scale line is parallel to other angular scale lines disposed at the other graduations or divisions. The Examiner contends that the Sklar reference "inherently includes" angular scale lines. However, it is a well settled principal that prior patents are references only for what they clearly disclose or suggest. In re Randol and Redford, 165 U.S.P.Q. 586 (CCPA 1970).

In view of the above, it is respectfully submitted that the cited Sklar reference does not anticipate, nor render obvious, the remaining claims in the application, numbered 3 to 8, and the rejection based thereon should therefore be withdrawn and the claims allowed. Such action is respectfully solicited.

Respectfully submitted,

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